



RCMP Criminal Intelligence

CURRENT TRENDS IN FIREARMS TRAFFICKING AND SMUGGLING IN CANADA

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PURPOSE

This Criminal Intelligence Brief provides an overview of the current trends in firearms trafficking and smuggling in Canada and the impact on law enforcement personnel.

Key Findings

- The United States is the primary source for smuggled firearms or firearms parts entering Canada, due in part to its close proximity, differences in gun control legislation, and a large firearms manufacturing base.
- There are larger amounts of firearms being seized per investigation, and this trend is expected to continue.
- Firearms choices are influenced by rural or urban settings, and vary according to the region of Canada in which they are being used.
- There is an inconsistent collection of information relating to the seizure of firearms.



BACKGROUND

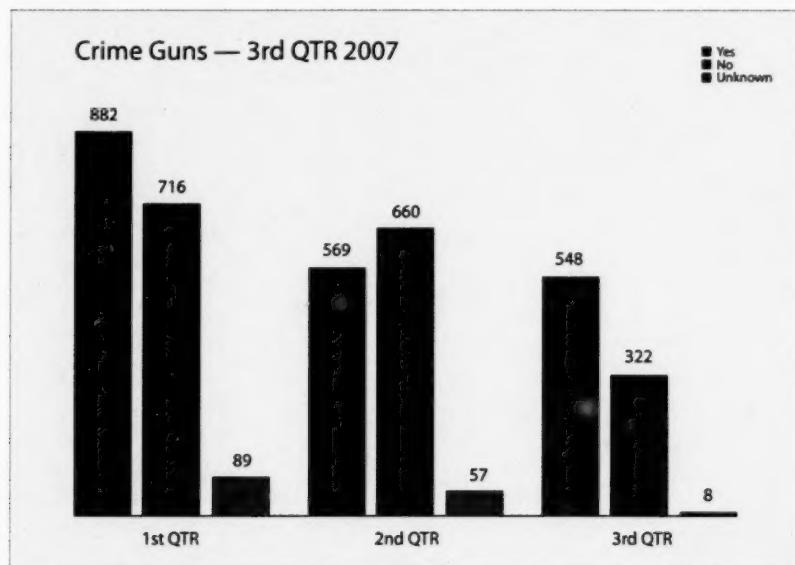
The United States is the primary source for smuggled firearms or firearms parts into Canada — due in part to its close proximity, differences in gun control legislation, and a large firearms manufacturing base. According to the Canada Border Services Agency (CBSA), in 2006, 96 per cent of all firearms seized originated in or transited through the United States. The majority of these seizures occurred at land border ports of entry, and were from private and/or commercial vehicles of legitimate U.S. travelers, especially hunters and truckers, who failed to declare these firearms. In addition, in 2006 there were 32 firearms seized between ports of entry, as compared to 12 in 2005. CBSA also reported a small quantity of guns being smuggled into Canada from various other countries, including Belgium, Switzerland, Georgia and China and Hong Kong.



CURRENT STATUS

According to Statistics Canada, in 2006, handguns accounted for 108 of the 190 victims killed by a firearm. Of the remaining 82 victims, 36 were killed by a rifle or shotgun, 24 by a sawed-off rifle or shotgun and 22 by another or unknown type of firearm.

The statistics available from the RCMP Firearms Support Service Directorate, Tactical Intelligence Unit (TAU), for the first three quarters (Jan 1, 2007 to Sept 30, 2007), indicate that 3,851 seized firearms were reported to the TAU. Of these 3,851 firearms reported seized or recovered, 52 per cent were deemed to be crime guns¹. Approximately 90 per cent of firearms reported seized or recovered did not have any known association to organized crime; only 0.5% were deemed to have a definite connection to a gang or a criminal organization.



Crime Guns	1st QTR	2nd QTR	3rd QTR	YTD
Yes	882	569	548	1999
No	716	660	322	1698
Unknown	89	57	8	154
Total Firearms	1687	1286	878	3851

¹ The term crime guns refers to any firearm that is illegally possessed, used in a crime or suspected to have been used in a crime, or has an obliterated serial number.

The majority of seizures occur at land border ports of entry where the firearms are either concealed in hidden compartments in personal vehicles or duct-taped to the body. However, the occasional seizure does take place in the postal system, which is commonly used by smugglers to ship disassembled firearms or firearms parts which are not considered under Canadian legislation as firearms.

Across Canada, handguns remain the most common firearm seized in larger urban centres, whereas long guns are more prevalent in rural areas. The available data indicate that firearms choices vary according to the region of Canada, and are also influenced by availability within the rural or urban settings.

- In most parts of British Columbia, handguns are the most common illegal firearm; in large urban centres, the most common type of handgun seized is the semi-automatic pistol.
- Long guns are preferred by the criminal element in the Prairies as they are more readily available in rural areas.
- In Saskatchewan and Manitoba, cut down/sawed off long guns are commonly used. Also in Saskatchewan, air or pellet guns have been involved in a number of firearms occurrences and seizures.
- In Ontario, both handguns and long guns are available throughout the province.
- In Quebec, long guns are the most commonly seized firearms, with the exception of large urban areas where handguns are most prevalently seized.
- In the Atlantic Provinces, long guns are prevalent, with the exception of large urban areas where handguns are more common.
- In the three Northern territories, long guns are the most available illegal firearm.

There continues to be significant cross-border firearms movement, particularly in British Columbia, Alberta, Ontario, Quebec, and the Atlantic region, where many of the seizures are concentrated.

- In British Columbia, a large number of firearms originate in the United States, with a high proportion coming from Washington State.
- In Alberta, most of these firearms come from Washington State, Idaho and California.
- In Ontario, the I-75 corridor is the main supply vein for illegal firearms from Florida, Georgia, Ohio and Michigan.

- In Quebec, the following states are key sources for illegal firearms: Vermont, New Hampshire and Maryland.
- There is an increasing number of illegal firearms reported being smuggled across the New Brunswick-Maine border, entering the Atlantic region.

Most firearms smuggled from the United States are high quality, semi-automatic handguns. Handguns are reportedly commonly traded for narcotics on the street: the price of the handgun correlates with the current street price for the specific narcotic. "High end" handguns are presently selling on the street for three times the retail price. Fully automatic rifles are also highly sought after firearms. Recent seizures have seen a marked increase in assault rifles and fully automatic submachine guns.

Domestically, firearms are commonly reaching the hands of criminals through various methods, such as:

1. Firearms which are lost, missing or stolen from private residences and commercial businesses.
2. Firearms that were originally shown as deactivated, and therefore removed from the Canadian gun registry, but reactivated.

Example: A business in B.C., entrusted with a business licence to sell firearms, reports firearms deactivated to the Canadian Firearms Registry in order to have them removed from the database. The guns are then sold on the street or sold to another party who sells them on the street. Seized firearms have included WW2 era military rifles, machine pistols, and sub-machine guns; guns are in turn sold to the criminal community as they are easily reactivated for use.

3. Firearms that are imported legally by legitimate dealers, but are then diverted to the black market.
4. Family members of a deceased who had owned firearms that had never been registered are selling them privately and not reporting back to the Canadian Firearms Registry (CFR).
5. Restricted Firearm Registration System (RWRS) and unregistered firearms: when the Canadian Firearms Information System replaced the Restricted Firearms Registration System, many firearms were not re-registered, and are still in circulation. Some citizens have not registered their firearms as they do not recognize or support the current Canadian firearms legislation.



INVOLVEMENT OF THE CRIMINAL ELEMENT

The illicit firearms market is characterized by a wide range of criminal participants, particularly individual entrepreneurs to full-fledged members of criminal organizations. These participants drive the market, either as consumers or, occasionally, through random individual sales to other criminals.

Predominantly, single criminally-inclined individuals and independent organized crime groups play significant roles in the Canadian illicit firearms supply chain. Independent organized crime groups appear to be involved in providing specialized goods and services to a number of other criminal organizations — sub-contracting services that may facilitate importation/exportation and inter-provincial movement of drugs, precursors, firearms and cash. It is difficult to identify key individuals or crime groups involved in the firearms trade as this is often a secondary level criminal activity in support of their primary activity, which often involves the illicit drug market.

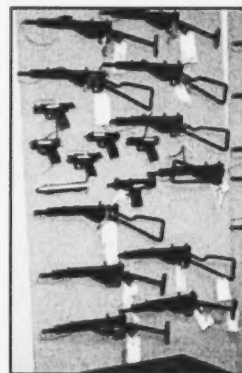
A large number of criminal organizations use firearms, thus the demand for this reusable commodity continues to fuel the illicit firearms market in Canada. Firearms can remain in circulation for many years and be used multiple times as they have an indefinite shelf life.



EMERGING TRENDS

There has been an emergence of the use of unmarked and interchangeable pistol barrels. It is suspected the barrels are changed after being used in the commission of an offence in an effort to avoid identification through police ballistics tests. However, the RCMP Forensic Laboratory Services can still link the spent cartridge to the barrel; therefore, it is recommended that the seized firearm(s) be analyzed by the firearms lab.

Some firearms dealers, located in British Columbia, have taken advantage of movie production companies filming in various Canadian locations. Under special permits, these companies are allowed to legally purchase firearms, in bulk, internationally, and import them to Canada for use on their movie sets. These local gun dealers have positioned themselves as intermediaries between the suppliers and these production companies to facilitate the transportation of these firearms. In this process, these dealers have exploited a loophole in the Canadian firearms legislation, which specifies that firearms must be registered as soon as practicable. However, there is no exact time frame defined, allowing the dealers to circumvent the registration process and keep the firearms. Frequently, these firearms end up on the streets of Canada after being sold in illicit markets.



Hand guns and sawed off firearms are being utilized by criminals as "get out of jail free" cards, i.e., providing information on the location of firearms or physically turning firearms over to the police in exchange for reduced sentences or other considerations.

There has been an increase in the use of non-regulated firearms, such as replicas and air/pellet guns. For example, Airsoft devices, made in China, use a CO2 cartridge and only shoot a pellet. While these devices are not considered firearms and are not as deadly as the real thing, they are identical in weight, look and feel of real firearms.

CHALLENGES TO ASSESSING THE PROBLEM

Various legislative and procedural gaps are currently being exploited by the criminal element. Current firearms legislation lacks a clear definitive time frame within which to register firearms, allowing individuals to circumvent the law. The standards for deactivating firearms have been revised, to stress that modifications to deactivate a firearm must be permanent, making it extremely difficult to reactivate the firearm. A licensed gunsmith (under the Firearms Act) must confirm that the firearm has been modified according to the instructions set out in the guidelines, and notify the Registrar in writing whenever a firearm is deactivated.

The penalties for the possession of firearms, as currently applied, do not act as a sufficient deterrent for criminals. Oftentimes, firearms charges are dropped as incentive for cooperation from suspects on what is seen to be more significant offences, such as drug trafficking.



IMPLICATIONS FOR CANADIAN LAW ENFORCEMENT

Criminals pose a threat to the general public when they engage in shooting rampages. Frequently, innocent bystanders become victims of this indiscriminate violence, thus compromising the safe homes, safe communities environment the RCMP aspires to achieve. Within the last year, several innocent bystanders were either wounded or killed by stray gunfire, often in or just outside their own homes. In Surrey, a resident of an apartment building and a gas fireplace serviceman working in the building became innocent victims of gang violence. In Toronto, a young mother of three was fatally shot, and three others were seriously wounded, at a backyard party, when bullets were fired in the vicinity. Also in Toronto, an 11-year-old boy was shot to death outside his home saying goodbye to birthday partygoers; he was caught in the middle of a gang gun battle.

The RCMP Operations Manual, under Section 4.14 (Tracing Firearms) and Appendix 4-11-1, (the Public Agents Firearms Regulations) delineates the reporting and disposal requirements for all seized firearms. Members should be cognizant of these directives when firearms are seized during investigations.



OUTLOOK

Within the province of Ontario, under the Ontario Police Act, all police agencies are required to report all firearms seizures, once a year. Similar legislation, entitled the *Public Agents Firearm Reporting Regulations*, has been proposed by the Federal Government and is currently awaiting approval. It is anticipated that by 2008-10-31, each Canadian police agency will be compelled to report all seized firearms to the Federal Government, within 30 days of seizure, which is not currently standard procedure. In the interim, the Investment to Combat the Criminal Use of Firearms (ICCUF) has developed a standardized collection template to gather this information. All ICCUF members are responsible for promoting this template to all law enforcement agencies, and Criminal Intelligence Service Canada (CISC) has agreed to assist in doing so, using its pre-established network of provincial bureaus. Similarly, Quebec is modeling a provincial template after ICCUF's; it should be ready for implementation in January 2008. Firearms seizures would be reported to the Quebec Ministry of Public Safety.

In Canada, in recent years, there are larger amounts of firearms being seized per investigation, and this trend is expected to continue. It is also expected that the indiscriminate use of firearms during the commission of an offence will either increase or remain at the status quo; however, it is not anticipated to decrease.

